



Town of Jericho
DEVELOPMENT REVIEW BOARD
67 Route 15
Jericho, VT 05465

Via Certified Mail

18 June 2015

Mr. Grant Allendorf
P.O. Box 214
Underhill, VT 05489

RE: Conditional Use (Adaptive Reuse), Boundary Adjustment, Major Subdivision,
Dimensional Sign Waiver
3 Brown's Trace, Jericho, VT

Dear Mr. Allendorf:

At meetings of the Jericho Development Review Board held on 14 May 2015, the Board heard your request for Conditional Use review of a proposed adaptive use of an historic barn, a boundary line adjustment, a Major Subdivision, and a Dimensional Waiver for a sign. The property is located at 3 Brown's Trace, in the Rural Residential (RR) Zoning District. The Parcel Code is BT003.

After review of the application, the Board voted on the following: to **approve your request for Conditional Use with conditions, to approve your request for a boundary adjustment with conditions, and to approve your request for a Major Subdivision with conditions. The board has denied your request for a Dimensional Waiver for a sign.** Listed below are the Findings of Fact and Conditions that were approved by the Development Review Board on 14 May 2015:

FINDINGS OF FACT

1. This application is for the creation of a reception and banquet facility within the footprint of the existing barn, and an associated catering kitchen located within an adjacent shed. This application also includes an unpaved grass parking area, lighting and landscaping. This use is classified as an eligible use under the Jericho Land Use and Development Regulations §7.2.3.4. and §7.2.3.12.
2. The applicant was previously approved for conditional use for adaptive reuse of a historic barn, which expired on 11/23/15 before a zoning permit was issued.
3. This application also includes a Major Subdivision application, dividing parent parcel BT003 into two separate lots. A Boundary adjustment of .36 acres from the Irish Triangle is proposed to facilitate required road frontage for said Major Subdivision application.

4. This application also includes a Dimensional Waiver for two proposed signs for the proposed banquet facility.
5. The existing ± 6.00 acre parcel is located at 3 Brown's Trace, in the Rural Residential (RR) zoning district. The parent parcel is Lot #1 of a 3-lot subdivision by John and Denise Angelino, approved 03/08/2012. The parcel contains a house, barn and approx. 1200sf shed. Lot 1a (house) is proposed as 3.36 acres, and Lot1b (barn) is proposed as 3 acres. Both these proposed lots meet minimum dimensional standards for the Rural Residential Zoning District.
6. Three parcels are currently served by a private, shared driveway off Brown's Trace. The site map shows an existing 50 foot right-of-way across the subject parcel BT003, providing access to Brown's Trace for parcels BT005 and BT007. With the approval of the proposed subdivision of parent parcel BT003 creating Lot1a and Lot1b, the existing access classification of private, shared driveway will change to a private road only for the portion just beyond Lot1a to Browns Trace.
7. Required parking is 0.33 spaces per maximum occupancy. The Applicant stated that the maximum occupancy is 180 persons, resulting in a required 54 spaces. The Site Plan shows parking for approximately 65 spaces (3 handicapped), and 22 overflow spaces. These spaces are all proposed in grassed areas.
8. Testimony was received that the barn originally built in 1840, burned in 1901, and was rebuilt in 1903, making it eligible for adaptive reuse according to the rules in the Jericho Land Use and Development Regulations, §7.2.2.1.
9. The Underhill-Jericho Fire Department duty officer and Assistant State Fire Marshall both noted that their written testimony regarding the conditional use application (summarized in a letter from the Assistant State Fire Marshall Chris Boyd dated 3/11/2014) should be carried over onto this application.
10. The applicant provided information on hours of operation. The barn would be in use 7 days per week, between the hours of 10am-11pm, April through October. The applicant proposes no after-hours security lighting.
11. The applicant determined that he can meet the performance standard for noise as stated in the Jericho Land Use and Development Regulations, §11.14.1.1.
12. The applicant has testified that the required draft easements, maintenance easements, and access easements have not been included with this application.
13. The applicant has testified that lines of sight will be kept clear for vehicles exiting onto Browns Trace heading southeast towards Jericho Center.

CONDITIONS

1. The applicant shall adhere to the Subdivision Plan entitled "Lands of The Mansfield Barn, LLC" prepared by Lamoureux & Dickenson, dated 2/27/2015 and the final plat "Two Lot Subdivision and Boundary Line Adjustment Between the Lands of Grant Allendorf and The Mansfield Barn, LLC" prepared by Bradford L Holden dated May, 2015.

2. The applicant shall submit an updated site plan to the nearest foot depicting accurate parcel boundaries in agreement with plat dated May 2015 prior to the issuance of a building permit.
3. The sale of food or beverage may be approved by the Zoning Administrator as an accessory use, in accordance with the definitions section of the Land Use and Development Regulations.
4. Exterior lighting shall be as shown on the sketch plan and renderings. In accordance with the applicant's proposal, no exterior security lighting shall be used, LED fixtures are to be used, and exterior lighting will not remain illuminated past 11pm. Exterior lighting shall be installed and operated in accordance with the Jericho Land Use and Development Regulations § 11.11. Outdoor Lighting.
5. 911 address numbers shall be clearly displayed at the entrance of the parking lot according to the design specified by the Town of Jericho e-911 coordinator.
6. In accordance with the Jericho Land Use and Development Regulations §7.8, a sign permit issued by the Zoning Administrator shall be required before installation of any sign.
7. Vehicle parking for the proposed uses shall not obstruct access to the minimum 15-foot shared driveway indicated in the site plan. Vehicles shall not park within the 50-foot town right-of-way indicated on the site plan.
8. Driveway signage shall be installed indicating that the eastern portion of the driveway beyond the property boundary for the subject parcel is private property.
9. Landscaping, including plantings and fencing shall be installed as shown by the updated site plan. All landscaping trees shall be installed in accordance with the planting specifications in the Jericho Land Use and Development Regulations §11.8, and shall be guaranteed for a period of three (3) years from the date of planting.
10. In accordance to FOF 11, legal documents for all easements shall be reviewed and approved by town staff and town attorney prior to the issuance of a building permit to protect interest of the town and interest of private parties.
11. In accordance to FOF 5, applicant shall improve the road to meet Town of Jericho Public Works Specifications up onto the point it serves three lots prior to the issuance of a Certificate of Occupancy.
12. Applicant shall prepare and submit a written maintenance agreement regarding the shared driveway.
13. All sound generated as a result of the proposed uses shall meet the requirements of the performance standards for noise stated in the Jericho Land Use and Development Regulations, §11.14.1.1.
14. Substantial revisions to the plan and external renderings, including changes to the proposed parking layout, shall require further review and approval by the Development Review Board at a publicly warned hearing.
15. Applicant shall secure and comply with all necessary local and State permits, including a State Building (construction) permit. The project will be constructed and

subsequently operated consistent with all Findings of Fact and Conditions set forth above and in any other permit applicable to this property.

16. All other improvements shall adhere to the requirements of the Town of Jericho Land Use & Development Regulations in effect as of this date.
17. Prior to the issuance of a zoning permit, the applicant must provide a determination from VT Agency of Natural Resources that the proper wastewater and potable water supply permits are in place.
18. In accordance with Jericho Land Use and Development Regulations §10.9.5., this approval shall expire if a zoning permit is not obtained within 180 calendar days of approval unless the DRB grants an extension. The proposed uses shall not commence until the zoning permit is in effect.
19. By acceptance of these Conditions without appeal, the applicants confirm and agree for themselves and all successors in interest that the conditions of this decision shall run with the land and shall be binding and enforceable.

Motion by Joe Flynn, to conditionally approve the request by Grant Allendorf for Conditional Use approval for adaptive use of the barn on the property at 3 Brown's Trace Road. Seconded by Stephanie Hamilton. Those in favor: Barry King, Chris West, Joe Flynn and Stephanie Hamilton. Opposed: None. Abstained: None. Motion carried 4-0. The application was approved.

Motion by Stephanie Hamilton, to approve the request by Grant Allendorf for a Boundary Adjustment approval at 3 Brown's Trace Road. Seconded by Barry King. Those in favor: Barry King, Chris West, Joe Flynn and Stephanie Hamilton. Opposed: None. Abstained: None. Motion carried 4-0. The application was approved.

Motion by Stephanie Hamilton, to approve the request by Grant Allendorf for Major Subdivision approval at 3 Brown's Trace Road. Seconded by Joe Flynn. Those in favor: Barry King, Chris West, Joe Flynn and Stephanie Hamilton. Opposed: None. Abstained: None. Motion carried 4-0. The application was approved.

Motion by Barry King, to approve the request by Grant Allendorf for a Dimensional Sign Waiver approval on the property at 3 Brown's Trace Road. Seconded by Joe Flynn. Those in favor: None. Opposed: Barry King, Chris West, Joe Flynn and Stephanie Hamilton. Abstained: None. Motion failed 4-0. The application was denied.

In accordance with 24 V.S.A. §4471 any Interested Person may appeal this decision within 30 days by filing a notice of appeal by certified mail, sent to the State Environmental Court with a copy to the Town of Jericho. Address: *Vermont Superior Court, Environmental Division, 2418 Airport Rd., Suite 1, Barre, VT 05641-8701*. The current filing fee for an appeal is \$262.50, payable to Vermont Superior Court, and it must be sent in with the notice of appeal. Anyone with questions about an appeal can call the Court at 802 828-1660.

Sincerely,

Barry J. King, Chair
Jericho Development Review Board

Cc: Grant Allendorf
Jericho Selectboard
Jericho Lister

Jericho Planning & Zoning
Interested Parties
Jericho Town Clerk